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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CHALONER SAINTILLUS,

Defendant.

CASE NO. 2:20-CR-00213-KJM

JOINT STATUS UPDATE; STIPULATION
REGARDING EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT; [PROPOSED]
FINDINGS AND ORDER

DATE: July 19, 2021
TIME: 9:00 a.m.
COURT: Hon. Kimberly J. Mueller

Plaintiff United States of America (the “government”), by and through its counsel of record, and defendant Chaloner Saintillus (who refers to himself as Shalam Ali El Bey), by and through his counsel of record, submit this joint status update, stipulation, and proposed order regarding the defendant’s competency evaluation.

STATUS UPDATE

In June, the Court ordered the defendant committed to the custody of the Attorney General for an evaluation to determine his mental competency. ECF No. 35; ECF No. 40. The defendant was designated to undergo this evaluation at the Metropolitan Detention Center – Los Angeles (“MDC-LA”). Staff from the Federal Bureau of Prisons informed government counsel that the defendant arrived at MDC-LA on July 8, 2021, and that he is presently in medical quarantine at MDC-LA. Staff from MDC-LA will commence their evaluation of the defendant’s mental state when he clears this quarantine.

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Pursuant to 18 U.S.C. §§ 4241(b) and 4247(b), the defendant may be committed for an evaluation “for a reasonable period, but not to exceed thirty days” unless the director of MDC-LA requests an extension, which is “not to exceed fifteen days” upon a showing of good cause. The parties agree that the COVID-19 quarantine requirements are good cause justifying such an extension, assuming that the director of MDC-LA so requests. Since the Court’s original order for an evaluation at docket number 35 was entered on June 21, 2021, forty-five days following entry of this order is August 5, 2021. Counsel for the government will remain in contact with MDC-LA staff and the U.S. Marshals to ensure that the evaluation is completed and that the defendant is returned to Sacramento County Jail as close to August 5 as possible.

STIPULATION

The parties hereby stipulate as follows:

1. By previous order, this matter was set for status on July 19, 2021.
2. By this stipulation, the defendant now moves to continue the status conference until August 9, 2021, and to exclude time between July 19, 2021, and August 9, 2021, under Local Codes A and T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has produced or made available for inspection and copying more than 1,300 pages of discovery, including numerous image files and investigative reports.
 - b) Counsel for the defendant desires additional time to conduct investigation and research related to the charges, review discovery, and otherwise prepare for trial.
 - c) The defendant is presently in the custody of the Attorney General at MDC-LA for the purpose of undergoing a mental competency examination previously ordered by the Court. Counsel’s ability to communicate with her client has been curtailed accordingly.
 - d) Counsel for the defendant believes that failure to grant the above-requested continuance would deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
 - e) The government does not object to the continuance.

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f) Based on the above-stated findings, the ends of justice served by continuing the case as requested outweigh the interest of the public and the defendant in a trial within the original date prescribed by the Speedy Trial Act.

g) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 19, 2021, to August 9, 2021, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

h) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of July 19, 2021, through August 9, 2021, inclusive, is also deemed excludable pursuant to 18 U.S.C. § 3161(h)(1)(A) [Local Code A] because it results from proceedings to determine the mental competency of the defendant.

4. Nothing in this stipulation and order shall preclude a finding that other provisions of the Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: July 15, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ SAM STEFANKI
SAM STEFANKI
Assistant United States Attorney

Dated: July 15, 2021

/s/ MIA CRAGER
MIA CRAGER
Counsel for Defendant
CHALONER SAINTILLUS,
aka SHALAM ALI EL BEY

[PROPOSED] FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this ____ day of July, 2021.

THE HONORABLE KIMBERLY J. MUELLER
Chief United States District Judge